

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
WHITE PLAINS DIVISION

STUDENTS FOR FAIR ADMISSIONS,

Plaintiff,

No. 7:23-cv-08262

v.

THE UNITED STATES MILITARY ACADEMY AT WEST POINT; THE UNITED STATES DEPARTMENT OF DEFENSE; LLOYD AUSTIN, in his official capacity as Secretary of Defense; CHRISTINE WORMUTH, in her official capacity as Secretary of the Army; LIEUTENANT GENERAL STEVEN GILLAND, in his official capacity as Superintendent of the United States Military Academy; and LIEUTENANT COLONEL RANCE LEE, in his official capacity as Director of Admissions for the United States Military Academy at West Point,

Defendants.

**DECLARATION OF JAMES HASSON**

1. I am an attorney at the law firm Consovoy McCarthy PLLC and counsel for Plaintiff Students for Fair Admissions.

2. I am over the age of eighteen and under no mental disability or impairment. I have personal knowledge of the following facts and, if called as a witness, I would competently testify to them.

3. The following materials attached as exhibits are true and accurate copies of pages from public websites that were downloaded as PDF files in 2023:

- a. Exhibit A is a true and correct copy of West Point's website entitled, "The U.S. Military Academy at West Point." That website can be accessed here: <https://perma.cc/LM2A-BGH8>.
- b. Exhibit B is a true and correct copy of West Point's website entitled, "Class of 2027 to enter West Point." That website can be accessed here: [perma.cc/4QY3-5BK6](https://perma.cc/4QY3-5BK6).
- c. Exhibit C is a true and correct copy of West Point's website entitled, "Class of 2026 to enter West Point." That website can be accessed here: [perma.cc/ZP2Z-XHQ8](https://perma.cc/ZP2Z-XHQ8).
- d. Exhibit D is a true and correct copy of West Point's website entitled, "Cadet Consumer Information/Right to Know." That website can be accessed here: <https://perma.cc/H38P-JY3J>.
- e. Exhibit E is a true and correct copy of a 1994 paper from the U.S. Government Accountability Office entitled, "Military Academy: Gender and Race Disparities."
- f. Exhibit F is a true and correct copy of a 1999 report by the United States Department of Defense, Office of the Undersecretary of Defense for Personnel and Readiness, entitled, "Career Progression of Minority and Women Officers." The report can be accessed here: [perma.cc/5KM5-KUL9](https://perma.cc/5KM5-KUL9).
- g. Exhibit G is a true and correct copy of a report by the United States Military Academy Board of Visitors entitled, "2017 Annual Report." The report can be accessed here: <https://perma.cc/ER6V-5PRY>.
- h. Exhibit H is a true and correct copy of a report by the United States Military Academy Board of Visitors entitled, "2018 Annual Report." The report can be accessed here: [perma.cc/Y8J2-6T3X](https://perma.cc/Y8J2-6T3X).

- i. Exhibit I is a true and correct copy of a report by the United States Military Academy Board of Visitors entitled “2019 Annual Report.” The report can be accessed here: [perma.cc/66LT-QVU7](https://perma.cc/66LT-QVU7).
- j. Exhibit J is a true and correct copy of a news release by West Point entitled, “Class of 2022 to Enter West Point.” The news release can be accessed here: [perma.cc/L36Q-BX59](https://perma.cc/L36Q-BX59).
- k. Exhibit K is a true and correct copy of a news release by West Point Public Affairs entitled, “Class of 2023 to Enter West Point.” The news release can be accessed here: [perma.cc/6MW6-VBEB](https://perma.cc/6MW6-VBEB).
- l. Exhibit L is a true and correct copy of a 2010 article by Mike Strasser entitled, “West Point Diversity Conference Discusses Progress, Challenges in Way Ahead.” The article can be accessed here: [perma.cc/B344-MTM9](https://perma.cc/B344-MTM9).
- m. Exhibit M is a true and correct copy of a 2003 New York Times Article entitled, “Service Academies Defend Their Use of Race in Admissions Policies.” The article can be accessed here: [perma.cc/7HNU-QBGD](https://perma.cc/7HNU-QBGD).
- n. Exhibit N is a true and correct copy of a report by the Department of Defense entitled, “Department of Defense Strategic Plan 2012-2017.” The report can be accessed here: [perma.cc/TSN2-T62L](https://perma.cc/TSN2-T62L).
- o. Exhibit O is a true and correct copy of a 2001 Guardian article by James Maycock entitled, “War Within War.” The article can be accessed here: [perma.cc/PX5M-ELMJ](https://perma.cc/PX5M-ELMJ).
- p. Exhibit P is a true and correct copy of a 2021 article by Walt Napier entitled “A Short History of Integration in the U.S. Armed Forces.” The article can be accessed here: [perma.cc/PYT6-SDXA](https://perma.cc/PYT6-SDXA).

- q. Exhibit Q is a true and correct copy of an article in Task and Purpose by Sarah Sicard entitled, "How Affirmative Action Works at West Point." The article can be accessed here: [perma.cc/MH9E-KE2U](https://perma.cc/MH9E-KE2U).
- r. Exhibit R is a true and correct copy of a survey by the Ronald Reagan Institute entitled "National Defense Survey." The survey can be accessed here: [perma.cc/32B9-RZTZ](https://perma.cc/32B9-RZTZ).
- s. Exhibit S is a true and correct copy of an Atlantic article by Senator Tim Kaine entitled, "Why Our Best Officers Are Leaving." The article can be accessed here: [perma.cc/Y6AV-XZUC](https://perma.cc/Y6AV-XZUC).
- t. Exhibit T is a true and correct copy of a Harvard study by Sayce Falk and Sasha Rogers entitled, "Junior Military Officer Retention: Challenges and Opportunities." The study can be accessed here: [perma.cc/JW2V-Y24Y](https://perma.cc/JW2V-Y24Y).
- u. Exhibit U is a true and correct copy of a CBS News article by Anthony Salvanto entitled, "CBS News Poll Finds Most Americans Say Colleges Shouldn't Factor Race Into Admissions." The article can be accessed here: [perma.cc/PW5D-ZUAT](https://perma.cc/PW5D-ZUAT).
- v. Exhibit V is a true and correct copy of a Pew Research poll entitled, "Americans and affirmative action." The poll can be accessed here: <https://perma.cc/829A-AP6F>.
- w. Exhibit W is a true and correct copy of a report by the Military Diversity Leadership Commission, entitled "From Representation to Inclusion." The report can be accessed here: [perma.cc/VR65-UFNE](https://perma.cc/VR65-UFNE).

Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 19th day of September, 2023

*/s/James Hasson*